

Remarks

Claim 15 was rejected as anticipated by FANT et al. 2004/0076151. Claims 2, 4-5, 7, and 14 were rejected as unpatentable over FANT et al. in view of BANKS et al. 7,239,641 and claims 3, 6, 8 and 10 were rejected as unpatentable further in view of NOMURA et al. 7,133,402. Claims 2-16 were rejected as unpatentable over FANT et al. in view of NOMURA et al.

Reconsideration and withdrawal of the rejections are respectfully requested in view of the documents submitted with the response filed May 28, 2008. Those documents were a verified English translation of the priority Japanese application that perfected the claim to priority of November 26, 2002 and a Declaration under 37 C.F.R. §1.131 that provided evidence that the present invention was invented before the effective date of FANT et al. Accordingly, FANT et al. was not available as a reference. Since all the rejections rely on FANT et al., the rejections should be withdrawn.

In view of the foregoing remarks, it is believed that the present application is in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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